

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
GILBERTO FRANCO, on behalf of himself
and all other similarly situated,

Plaintiff,

13 CIVIL 4053 (KBF)

-against-

JUDGMENT

ALLIED INTERSTATE LLC,
Defendants.

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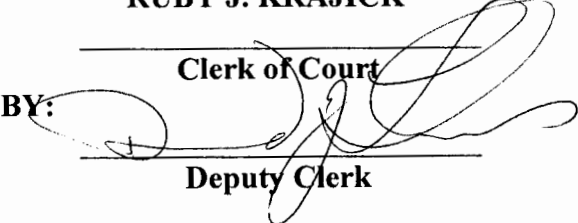
Whereas this Court having previously dismissed the Amended Complaint on the basis that defendant's offer of judgment to plaintiff pursuant to Fed. R. Civ. P. 68—which exceeded the maximum damages award available to him under the FDCPA and which plaintiff rejected—rendered plaintiff's claim moot; Plaintiff having appealed; the Second Circuit held that plaintiff's "individual claim was not mooted by the Rule 68 offer, which did not result in the entry of any judgment against the defendant;" the Court of Appeals did not reach the action of whether the class action would have also been moot; Defendant having now offered judgment referencing "unconditional surrender," and the matter having come before the Honorable Katherine B Forrest, United States District Judge, and the Court, on November 30, 2015, having rendered its Opinion and Order granting defendant's motion to enter judgment, and directing the Clerk of Court to enter judgment in favor of plaintiff Gilberto Franco in the amount of \$1,501.00, plus any post-judgment interest, against defendant Allied Interstate LLC, and directing the Clerk of Court to terminate this action, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated November 30, 2015, defendant's motion to enter judgment is granted; accordingly, judgment is hereby entered in favor of plaintiff Gilberto Franco in the amount of \$1,501.00, plus any post-judgment interest, against defendant Allied Interstate LLC; payment

shall be rendered to plaintiff within thirty days of the Opinion and Order dated November 30, 2015;
Parties shall confer as to reasonable attorney's fees and costs, and submit a motion to this Court; the
action is terminated.

Dated: New York, New York
November 30, 2015

RUBY J. KRAJICK

Clerk of Court
BY: 

Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**